

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Kanshi CHINONE**

Art Unit: 1793

Application Number: **10/568,147**

Examiner: **Michael A. MARCHESCHI**

Filed: **February 13, 2006**

Confirmation Number: **7793**

For: **ABRASIVE COMPOUNDS FOR SEMICONDUCTOR PLANARIZATION**

Attorney Docket Number: **062110**

Customer Number: **38834**

PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)

BOX: PETITIONS

January 18, 2009

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition to revive the above-identified patent application, which appears to have been unintentionally abandoned by failure to file a Submission with the Request for Continued Examination (RCE) filed December 15, 2008. A Notice of Abandonment has not been received. However, a Notice of Improper Request for Continued Examination (RCE) was received dated January 21, 2009. The Notice indicates that the period for response remains as set forth in the Final Office Action dated July 14, 2008. The period for response set forth in the Final Office Action expired January 14, 2009.

A Request for Continued Examination (RCE), with a Request for Suspension of Action under 37 C.F.R. § 1.103(c), a Submission under 37 C.F.R. §1.114, a copy of the Notice of Improper Request for Continued Examination (RCE) and a request to charge the fees to deposit account are submitted concurrently herewith.

03/23/2009 CKHLOK 00000004 502866 10568147

01 FC:1453 1620.00 DA

Adjustment date: 03/23/2009 CKHLOK
12716/2008 SZENDIE1 00000020 10568147
02 FC:1464 -130.00 OP
Repln. Ref: 03/23/2009 CKHLOK 0000022400
DAH:502866 Name/Number:10568147
FC: 9204 \$130.00 CR

Application No.: 10/568,147
Art Unit: 1793

Petition to Revive under 1.137(b)
Attorney Docket No.: 062110

The undersigned hereby states that the entire delay in filing the required reply from the due date of the reply until the filing of the instant grantable petition pursuant to 37 C.F.R. §1.137 was unintentional.

Again, a Notice of Abandonment has not been received. It is also noted that Applicants' representative called and left unreturned voice-mail messages with Ms. Yolanda Middleton, Technology Center 1700, to discuss the Notice of Improper Request for Continued Examination (RCE).

In view of the fact that the abandonment of the application was unintentional, Applicants respectfully request that this petition be granted.

Please charge the Petition fee to Deposit Account No. 50-2866. The RCE fee and Suspension of Action Fee were previously submitted. The RCE and Request for Suspension of Action were not accepted by the USPTO. If the RCE fee and Request for Suspension of Action fee are needed again, please charge the RCE fee and Request for Suspension of Action fee to Deposit Account No. 50-2866.

If any additional fees, including extension of time fees, are required with respect to this Petition or related papers, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Lee C. Wright
Attorney for Applicant
Registration No. 41,441
Telephone: (202) 822-1100

LCW/af

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: 03/19/09		2 Serial/Patent # 10/568,147										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
X	Petition 1464		12/15/08	\$ 130.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
			7 TOTAL AMOUNT OF REFUND		\$ 130.00							
			8 TO BE REFUNDED BY:									
10 REASON:			Treasury Check									
	Overpayment	X	Credit Deposit A/C #:									
	Duplicate Payment		9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">2</td> <td style="width: 20px;">8</td> <td style="width: 20px;">6</td> <td style="width: 20px;">6</td> </tr> </table>			5	0	--	2	8	6	6
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X	No Fee Due (Explanation):											
The \$130 petition fee is not needed.												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: Irvin Dingle			TITLE: Paralegal									
SIGNATURE:			PHONE: 2-3210									
OFFICE: Petitions												
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APPROVED:			DATE: 3/23/09									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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